

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF WEST VIRGINIA

IN RE:
WELDED CONSTRUCTION, L.P.,

**Case No. 18-12378 (KG)
(Pending D. Delaware)
Chapter 11**

Debtor.

/

HERC SERVICES, LLC,

Adversary No. 5:19-ap-019

Plaintiff,

v.

COLUMBIA GAS TRANSMISSION, LLC,

Defendant.

ORDER WITHDRAWING REFERENCE

The above-styled adversary proceeding is currently pending in the United States Bankruptcy Court for the Northern District of West Virginia. It has come to this Court's attention that a conflict of interest has arisen with both bankruptcy judges in the State of West Virginia.

The district courts have original jurisdiction over bankruptcy proceedings, 28 U.S.C. § 1334. However, each district court may provide that all bankruptcy proceedings shall be referred to the bankruptcy judge for that district. 28 U.S.C. § 157(a). Bankruptcy courts are, in fact, units of the district court. 28 U.S.C. § 151. By Amended Standing Order of Reference entered on April 2, 2013, this District has referenced all bankruptcy proceedings

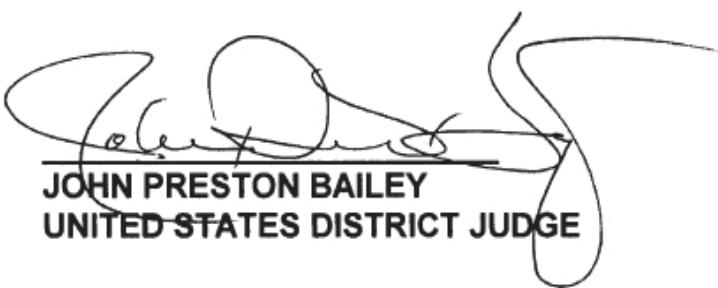
to the sole bankruptcy judge for this district.

At its discretion, the district court may – on its own motion for cause shown – withdraw the order of reference to the bankruptcy court and exercise its original jurisdiction over an individual bankruptcy proceeding. 28 U.S.C. § 157(d). Cause exists in this case to withdraw the Amended Order of Reference because the sole bankruptcy judge for this District is disqualified from presiding over the case due to a financial conflict. The same is true of the sole bankruptcy judge for the Southern District of West Virginia. Therefore, it is **ORDERED** that the Amended Order of Reference dated April 2, 2013, be and is hereby **WITHDRAWN** solely with regards to the above-referenced adversary proceeding, and all further proceedings in the case will be conducted before the undersigned judge of United States District Court for the Northern District of West Virginia.

It is so **ORDERED**.

The Bankruptcy Clerk for the United States Bankruptcy Court for the Northern District of West Virginia is directed to transmit copies of this Order to all parties of interest.

DATED: May 14, 2019.



JOHN PRESTON BAILEY
UNITED STATES DISTRICT JUDGE

Notice Recipients

District/Off: 0424-5

Case: 5:19-ap-00019

User: ams

Form ID: pdfdoc

Date Created: 5/14/2019

Total: 6

Recipients of Notice of Electronic Filing:

aty	Anthony C. Sunseri	acsunseri@burnswhite.com
aty	Devon Stewart	devon.stewart@steptoe-johnson.com
aty	John Meadows	john.meadows@steptoe-johnson.com
aty	William Michael Buchanan	wmbuchanan@burnswhite.com

TOTAL: 4

Recipients submitted to the BNC (Bankruptcy Noticing Center):

dft	Columbia Gas Transmission, LLC 25326-1588	c/o Steptoe & Johnson PLLC	P.O. Box 1588	Charleston, WV
ust	United States Trustee 25301	2025 United States Courthouse	300 Virginia Street East	Charleston, WV

TOTAL: 2